

D/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GABRIEL SIERRA, CESARA REYES,  
MARGARITO REDONDO, ROBERTO BONILLA,  
ZULMA ALVARENGA, WILSON GUEVARA,  
YUMY PEREIRA VALASQUEZ,  
ROSA E. MANZANO, MICHAEL ROONEY,  
MIRTHA S. LLERENA, SANDRA E. RIVERA,  
DAVID FLORES, JUANA FLORES, and JOSE ARIAS  
Individually and on Behalf of All Other Persons  
Similarly Situated,

Plaintiffs,

-against-

ECF  
09 Civ.0864 (ARR) (JMA)

MILLERIDGE COTTAGE, INC., MILLERIDGE  
CARRIAGE HOUSE, INC., BRUCE MURPHY,  
OWEN SMITH, And JOHN DOES # 1-10,  
Jointly and Severally,

Defendants.


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#### STIPULATION OF DISMISSAL

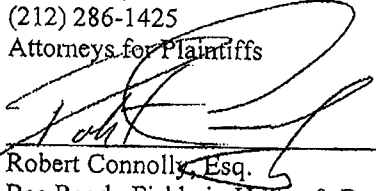
IT IS HEREBY STIPULATED AND AGREED, by and between the parties in the above captioned action, through the undersigned counsel, that, in accordance with Rule 41 of the Federal Rules of Civil Procedure, the action be dismissed, with prejudice and without costs or attorneys' fees (except as set forth in the Settlement Agreement) as to Plaintiffs GABRIEL SIERRA, CESARA REYES, MARGARITO REDONDO, ROBERTO BONILLA, ZULMA ALVARENGA, WILSON GUEVARA, YUMY PEREIRA VALASQUEZ, ROSA E. MANZANO, MICHAEL ROONEY, MIRTHA S. LLERENA, SANDRA E. RIVERA, DAVID FLORES, JUANA FLORES, JOSE ARIAS, ANA I. CASTRO, ANA JULIA CASTRO, JUAN

REYES ZELAYA, KEVIN MURILLO, KEVIN QUINN, LUCILA ROBLES, ROCIO GALOFRE, VICTOR REYES, COSME ARTURO MORILLO and MIGUEL MATHAS (together the "Named Plaintiffs") and dismissed without prejudice and without costs or attorneys' fees to any party as to the members of the alleged putative class action and/or collective action other than the Named Plaintiffs. This Stipulation does not prejudice the rights, if any, of the members of the alleged putative class action and/or collective action other than the named Plaintiffs. The Court retains jurisdiction over the enforcement of the Settlement Agreement resolving this action.

Dated: January \_\_\_, 2010

  
William C. Rand (WR 7685)  
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Attorneys for Plaintiffs

Dated: February 17, 2010

  
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516-746-1045  
Attorneys for Defendants

Dated: February 16, 2010

SO ORDERED.

Dated: 2/19, 2010

/Signed by Judge Ross/  
United States District Judge